

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

INTERTRUST TECHNOLOGIES
CORPORATION

v.

CINEMARK HOLDINGS, INC.

AMC ENTERTAINMENT HOLDINGS,
INC.

REGAL ENTERTAINMENT GROUP

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§
§ Case No. 2:19-cv-00266-JRG
(LEAD CASE)

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§ Case No. 2:19-cv-00265-JRG
(MEMBER CASE)

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(MEMBER CASE)

MINUTES FOR PRETRIAL CONFERENCE – DAY 2
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP
February 4, 2022

OPEN: 10:45 AM

ADJOURN: 04:42 PM

ATTORNEYS FOR PLAINTIFF: See attached

ATTORNEYS FOR DEFENDANTS: See attached.

LAW CLERK: Tom Derbish

COURT REPORTER: Shawn McRoberts, RMR, CRR

COURTROOM DEPUTY: Andrea Brunson, CP

TIME	MINUTES
10:45 AM	Court opened.
10:46 AM	Court called for announcements from counsel.
10:47 AM	Court proceeded with Day 2 of pretrial covering disputes re: MILs and exhibits to be pre-admitted.
10:48 AM	Update provided to the Court re: pending MILs. Court directed parties to file an agreed representation re: disposition of disputed MILS by noon, Monday, February 7.
10:52 AM	Court proceeded to hear argument re: parties' objections to MILs.
10:53 AM	Plaintiff's MIL 1: Argument presented.

TIME	MINUTES
10:59 AM	Court ruling: Plaintiff's MIL 1: GRANTED to include limitations and instructions set forth in the record.
11:01 AM	Plaintiff's MIL 3: Argument presented.
11:34 AM	Court ruling: Plaintiff's MIL 3: GRANTED with instructions set forth in the record; however, Court to further review.
11:36 AM	Plaintiff's MIL 4: Argument presented.
11:50 AM	Court ruling: Plaintiff's MIL 4: GRANTED-IN-PART and DENIED-IN-PART subject to exclusions and instructions set forth in the record.
11:53 AM	Plaintiff's MIL 5: Argument presented.
11:58 AM	Court ruling: Plaintiff's MIL 5: GRANTED-IN-PART and DENIED-IN-PART subject to exclusions and instructions set forth in the record.
12:00 PM	Recess.
12:59 PM	Court reconvened.
12:59 PM	Plaintiff's MIL 6: Argument presented.
01:01 PM	Court ruling: Plaintiff's MIL 6: GRANTED.
01:01 PM	Defendants' MIL 24: Argument presented.
01:04 PM	Court ruling: Defendants' MIL 24: DENIED.
01:05 PM	Plaintiff's MIL 8: Argument presented.
01:11 PM	Court ruling: Plaintiff's MIL 8: GRANTED-IN-PART and DENIED-IN-PART with exclusions and instructions set forth in the record.
01:15 PM	Courtroom sealed.
01:16 PM	Plaintiff's MIL 9: Argument presented.
01:35 PM	Court ruling: Plaintiff's MIL 9: GRANTED with instructions set forth in the record.
01:38 PM	Courtroom unsealed.
01:38 PM	Defendants' MIL 20: Argument presented.
01:43 PM	Court ruling: Defendants' MIL 20: GRANTED with instructions set forth in the record.
01:46 PM	Conclusion of argument re: MILs.
01:46 PM	Update re: meet and confer efforts re: disputed exhibits.
01:47 PM	Court began hearing the following arguments re: objections to exhibits.
01:47 PM	Objections to Plaintiff's Exhibit List:
01:47 PM	Group No. 1: Argument presented.
01:55 PM	Court: Pre-admitted with redaction instructions.
01:56 PM	Group No. 2: Argument presented.
02:03 PM	Court: Pre-admitted to include Defendants' identical group.
02:06 PM	Group No. 3: Argument presented.

TIME	MINUTES
02:13 PM	Court: Pre-admitted with instructions re: proper descriptive identifiers.
02:14 PM	Group No. 4 and Group No. 5: Argument presented.
02:18 PM	Court: Pre-admitted.
02:19 PM	Group No. 6: Argument presented.
02:20 PM	Per agreement of the parties, Court excluded for pre-admission.
02:20 PM	Group No. 7: Argument presented.
02:32 PM	Court: Pre-admitted PX 192 and excluded remainder.
02:34 PM	Group No. 8: Argument presented.
02:47 PM	Recess.
03:01 PM	Court reconvened.
03:02 PM	Group No. 8: Argument continued.
03:09 PM	Court: Excluded from pre-admission but may be used as demonstratives.
03:11 PM	Group No. 9: Argument presented.
03:15 PM	Court: Pre-admitted.
03:16 PM	Objections to Defendants' Exhibit List:
03:16 PM	Group No. 10: Argument presented.
03:24 PM	Court: Pre-admitted.
03:24 PM	Group No. 11: Argument presented.
03:28 PM	Court: Excluded from pre-admission but may be used as demonstratives.
03:29 PM	Group No. 12: Argument presented.
03:35 PM	Court: Pre-admitted conditioned upon laying proper predicate for proving-up business records.
03:37 PM	Group No. 13: Argument presented.
03:37 PM	Court: Pre-admitted conditioned upon laying proper predicate for proving-up business records.
03:38 PM	Group No. 14: Argument presented.
03:42 PM	Court: Excluded from pre-admission with additional instructions as set forth in the record.
03:42 PM	Group No. 15: Argument presented.
03:48 PM	Court: Excluded from pre-admission.
03:49 PM	Group No. 16 (Allen Co) and Group No. 18 (Deloitte): Argument presented.
04:00 PM	Court: Excluded from pre-admission but may be used as demonstratives.
04:05 PM	Group No. 17 (DCI): Argument presented.
04:07 PM	Court: Pre-admitted excluding DX 488 and DX 489.
04:07 PM	Argument presented re: DX 488 and DX 489.
04:09 PM	Court: Excluded DX 488 and DX 489.
04:10 PM	Group No. 19: Argument presented.
04:22 PM	Court: Excluded from pre-admission but may be used as demonstratives.
04:23 PM	Group No. 20: Argument presented.
04:29 PM	Court: Excluded from pre-admission but may be used as demonstratives.
04:30 PM	Group No. 21: Court: Not preadmitted but Court will hold in reserve.
04:32 PM	Group No. 22: Court: Subject to previous MIL ruling, not preadmitted but Court will hold in reserve.
04:32 PM	Arguments concluded.

<u>TIME</u>	<u>MINUTES</u>
04:33 PM	Discussion and instructions re: Defendants' large demonstrative equipment to be used at trial.
04:38 PM	Pretrial process concluded.
04:42 PM	Court adjourned.